

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

NICHOLAS D. PEARSON,

Plaintiff,

Civ. No. 6:19-cv-1621-MK
ORDER

v.

UNITED STATES OF AMERICA,

Defendant.

MCSHANE, Judge:

Magistrate Judge Mustafa T. Kasubhai filed a Findings and Recommendation (ECF No. 5), and the matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff filed objections to the Findings and Recommendation. Accordingly, I have reviewed the file of this case *de novo*. *See* 28 U.S.C. § 636(b)(1)(c); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). I find no error and conclude the report is correct.

1 –ORDER

Magistrate Judge Kasubhai's Findings and Recommendation (ECF No. 5) is adopted in part. Although Plaintiff clarified he no longer receives disability, his objections demonstrate leave to amend would be futile. The objections clearly indicate the complaint fails to state any cognizable claim. Therefore, this action is DISMISSED, with prejudice. All pending motions or applications are DENIED as moot.

IT IS SO ORDERED.

DATED this 20th day of December, 2019.

/s/ Michael J. McShane
Michael McShane
United States District Judge